



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

January 3, 2013

AMERICANS FOR PROSPERITY  
2111 WILSON BLVD. SUITE 350  
ARLINGTON, VA 22201

IDENTIFICATION NUMBER: C90013285

**Response Due Date**  
**02/07/2013**

REFERENCE: OCTOBER QUARTERLY REPORT (07/01/2012 - 09/30/2012)

Dear Filer:

This letter is prompted by the Commission's preliminary review of the Report of Independent Expenditures Made and Contributions Received (FEC Form 5) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** Additional information is needed for the following 2 item(s):

1. It appears that 24-hour notice(s) for the attached independent expenditures was filed late. Please be advised that you are required to file 24-hour reports once your independent expenditures aggregate \$1,000 or more after the 20th day but more than 24 hours before 12:01 a.m. of the day of the election. The report must be received at the Commission by 11:59 p.m. Eastern Standard/Daylight Time of the day following the date on which the communication was publicly distributed or otherwise disseminated. In the report, you must include information for all independent expenditures that have not been previously reported. Each time you make subsequent independent expenditures relating to the same election that aggregate \$1,000 or more, you must file another 24-hour report disclosing these independent expenditures. (11 CFR § 109.10(d) and (e)) Please provide clarification regarding the timeliness of your 24-hour reporting for the independent expenditures in question. Further, if the date disclosed on your Form 5 was the date of payment, rather than the date of public dissemination or distribution, please provide the date of dissemination or distribution.

In addition, please be advised that you are required to disclose these independent expenditures, along with contribution and disbursement information, on Form 5 as a regularly scheduled quarterly report. (11 CFR § 109.10(b) and (e))

2. It appears that 48-hour notice(s) for the attached independent expenditures

## AMERICANS FOR PROSPERITY

Page 2 of 2

was filed late. Please be advised that you are required to file 48-hour reports once you make independent expenditures aggregating \$10,000 or more with respect to a given election any time during the calendar year up to and including the 20th day before the election. The report must be received at the Commission 11:59 p.m. Eastern Standard/Daylight Time by the second day after the communication was publicly distributed or otherwise disseminated. In the report, you must include information for all independent expenditures that have not been previously reported. Each time you make subsequent independent expenditures relating to the same election that aggregate \$10,000 or more, you must file another 48-hour report disclosing these independent expenditures. (11 CFR § 109.10(c) and (e)) Please provide clarification regarding the timeliness of your 48-hour reporting for the independent expenditures in question. Further, if the date disclosed on your Form 5 was the date of payment, rather than the date of public dissemination or distribution, please provide the date of dissemination or distribution.

In addition, please be advised that you are required to disclose these independent expenditures, along with contribution and disbursement information, on Form 5 as a regularly scheduled quarterly report. (11 CFR § 109.10(b) and (e))

**Please note, you will not receive an additional notice from the Commission on this matter. Requests for extensions of time in which to respond will not be considered.** Failure to comply with the provisions of the Act may result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1132.

Sincerely,



Chris Jones  
Senior Campaign Finance Analyst  
Reports Analysis Division

**Late Filed 24-Hour Notices**  
**Americans for Prosperity (C90013285)**

<b>Name</b>	<b>Date</b>	<b>Amount</b>	<b>Purpose</b>	<b>Candidate</b>
Mentzer Media	8/20/2012	\$3,520,081.14	Advertising-TV placement ('New Ideas')	Barack Obama

**Late Filed 48-Hour Notices  
Americans for Prosperity (C90013285)**

<b>Name</b>	<b>Date</b>	<b>Amount</b>	<b>Purpose</b>	<b>Candidate</b>
Mentzer Media	8/13/2012	\$6,503,103.72	Advertising-TV placement ('Still Believe')	Barack Obama